



Full Tort vs Limited Tort in Pennsylvania: What You Need to Know

A Guide For PA Drivers

Full Tort vs Limited Tort in Pennsylvania: Everything You Need to Know

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Introduction

When you buy car insurance in Pennsylvania, one of the biggest decisions you'll face is choosing **full** or **limited tort** coverage.

This single choice can make a big difference in what happens if you're ever involved in a crash. It determines how your medical bills are paid, and whether you can seek compensation for the pain, stress, and disruption an accident may bring into your life.

Pennsylvania is unusual compared to many other states because it follows what's known as a "choice no-fault" system. This means drivers always have some no-fault protection through their own insurance, but they also decide how much legal flexibility they want if another driver is at fault.

In practice, this decision comes down to two paths:

1. **Full Tort, which keeps all legal options open.**
2. **Limited Tort, which saves some money on premiums but restricts your ability to sue unless certain conditions are met.**

This guide is designed to walk you through everything you need to know so you can make the choice that best protects you and your family. By the end, you'll have a clear, practical picture of how full tort and limited tort work, variations in cost, when exceptions apply, and how your rights may change if you're injured in Pennsylvania or even across state lines.

Understanding Pennsylvania's Choice No-Fault System

Pennsylvania is one of only three states, along with Kentucky and New Jersey, that use what's called a **choice no-fault system**.

That phrase can sound technical, but in practice it means something very simple.

Every driver must choose between two paths when buying auto insurance: full tort or limited tort.

Why Pennsylvania's Insurance System Is Different

Most states are either **pure no-fault** (where everyone's insurer pays their medical bills and lawsuits are limited) or **pure tort** (where you can always sue the at-fault driver).

Pennsylvania's system is unusual because it gives drivers a choice. The election you make at sign-up determines your rights if you're ever in an accident.

Why Pennsylvania Has a Choice System

This approach grew out of a compromise in the early 1990s. Lawmakers wanted to reduce rising insurance premiums, but they also faced pressure not to take away drivers' ability to sue for pain and suffering. The solution was the Motor Vehicle Financial Responsibility Law (MVFRL), which created today's choice system. By giving drivers the option of limited tort or full tort, the law balanced two goals:

1. **Helping insurers control costs by cutting down on smaller lawsuits.**
2. **Allowing consumers who valued their rights to pay slightly more for full legal protection.**

Pennsylvania has kept this structure because it gives drivers control. Instead of forcing everyone into the same system, it lets you decide whether short-term savings or long-term rights matter more.

Full Tort Explained

Choosing full tort coverage on your Pennsylvania auto insurance policy means you keep the broadest possible rights if you are injured in an auto accident. With full tort, you are not limited by thresholds or exceptions. You may sue the at-fault driver for the full range of damages that apply to your case, whether the injury is minor or life-changing.

What Full Tort Covers

If another driver causes an accident, full tort coverage allows you to pursue compensation for:

- Medical expenses, including hospital bills, rehabilitation, surgeries, medication, and ongoing treatment.
- Future medical costs if your injuries require long-term care or procedures down the road.
- Lost wages if your injuries prevent you from working now or reduce your earning capacity in the future.
- Property damage, such as repairs or replacement of your vehicle.
- Pain and suffering, covering the physical pain and the emotional distress that follow an accident.
- Loss of enjoyment of life if your injuries prevent you from engaging in activities you once valued, like sports, hobbies, or family time.
- Household services and relationship damages if your injuries prevent you from managing everyday responsibilities or affect your relationships.

Real-Life Full Tort Scenarios

The following examples illustrate how full tort works in common scenarios:

Rear-End Collision with Chronic Back Pain

You are rear-ended at a stoplight and develop chronic back pain.

- **With full tort:** You can seek compensation for medical bills and time missed from work, as well as for ongoing pain and the limitations it places on your daily activities.

Post-Crash PTSD

You develop post-traumatic stress disorder after a crash and find you can no longer drive comfortably.

- **With full tort:** You can bring a claim for these non-economic losses, including emotional distress and reduced quality of life.

Lost Wages After a Workplace Crash

You are a construction worker hit on your way to a job site. The injury keeps you out of work for six months.

- **With full tort:** You can pursue compensation for lost wages and the impact on your ability to earn a living in the future.

Loss of Enjoyment of Life

You are a recreational runner who suffers a knee injury in a collision, leaving you unable to participate in races or even jog with friends.

- **With full tort:** You can recover damages for treatment, as well as the loss of enjoyment and quality of life.

Why Some People Choose Full Tort

✓ **Peace of mind.** Full tort ensures your rights are not restricted, no matter what kind of injuries you face.

✓ **Protection from the unexpected.** Even a seemingly minor accident can lead to long-term complications, such as lingering back pain or permanent scarring.

✓ **Family security.** Because your tort election applies to everyone covered by your policy, full tort gives your spouse and children the same broad protection.

✓ **Risk transfer.** Paying a little more now means you shift the risk of an unpredictable accident onto the insurer instead of carrying it yourself.

The Full Tort Trade-Off

Full tort coverage does cost more. On average, premiums are approximately 15% higher for limited tort coverage.

Some households may see a smaller difference depending on their driving profile, but the point is the same: a relatively modest increase buys you the unrestricted right to recover for pain and suffering, emotional distress, and loss of quality of life.

That right can be worth tens, or even hundreds of thousands of dollars, if an accident leaves you with lasting injuries.

For many families, that extra cost is seen as an investment in long-term protection, rather than an expense. It offers peace of mind that if an accident changes your life, you won't face barriers to seeking full compensation.

Limited Tort Explained

Choosing limited tort coverage in Pennsylvania lowers your insurance premiums, but it also limits your legal rights if you are injured in a crash. With limited tort, you can always recover certain costs from your own insurance, but you usually cannot sue the at-fault driver for pain and suffering unless an exception applies.

What Limited Tort Covers

Even with limited tort, you are still entitled to compensation for:

- Medical expenses, including hospital visits, rehabilitation, prescriptions, and follow-up care.
- Future medical treatment if your injuries require long-term therapy or procedures.
- Lost wages if your injuries force you to miss work or reduce your earning capacity.
- Property damage covering repairs or replacement of your vehicle.

Limited Tort Restrictions

You generally cannot recover damages for:

- Pain and suffering, such as chronic pain, sleeplessness, or the daily limitations caused by an injury.
- Emotional distress, including anxiety, trauma, or depression, following a crash.
- Loss of enjoyment of life if your injuries prevent you from taking part in hobbies, family time, or other valued activities.

The key exception is when your injuries are classified as a serious injury under Pennsylvania law.

What Counts as a Serious Injury Under Pennsylvania Law?

By statute, serious injuries include death, permanent and serious disfigurement, or serious impairment of a bodily function. Courts may also recognize conditions like herniated discs or chronic pain syndromes as serious if medical records show they significantly restrict daily life.

Real-Life Limited Tort Scenarios

The following examples illustrate how limited tort works in common scenarios:

Whiplash After a Collision

You are involved in a crash that causes whiplash and a few weeks of discomfort.

- With limited tort: You can recover medical expenses and lost wages, but you cannot claim damages for the pain and inconvenience itself, since the injury does not qualify as “serious.”

Permanent Disfigurement After a Crash

You suffer a permanent facial scar in a collision.

- With limited tort: Because permanent disfigurement meets the definition of a serious injury, you can pursue compensation for pain and suffering in addition to medical expenses and lost wages.

Lingering Knee Injury from a Side-Impact

You injure your knee in a side-impact crash. The injury heals enough for you to walk but leaves you unable to run, hike, or exercise the way you once did.

- With limited tort: Unless the injury is deemed a “serious impairment of a bodily function” by a court, you may be restricted to recovering only medical costs and lost wages, with no compensation for the long-term loss of your favorite activities.

Why Some People Choose Limited Tort

- Premium savings. Limited tort usually lowers premiums by about 15%.
- Appeal to budget-conscious households. Drivers focused on lowering monthly bills may accept the restrictions in exchange for short-term savings.
- Same basic protections for economic losses. Medical bills, lost wages, and property damage are still covered at the same level as full tort.

The Limited Tort Trade-Off

The savings come at the cost of fewer rights if an accident has lasting effects. While limited tort works for drivers who never face a crash with non-economic damages, it can feel restrictive if your injuries are serious but don’t meet the legal definition of “serious injury.” For example, chronic pain, mobility limitations, or emotional trauma often fall outside the scope of what limited tort covers.

In practical terms, limited tort may save you 15% on your premium, but that savings can vanish quickly if an accident leaves you unable to recover from pain, suffering, or reduced quality of life.

Key Differences Between Full Tort and Limited Tort

Once you understand how full tort and limited tort work on their own, the next step is to see how they compare side by side. This makes it easier to weigh the trade-offs and decide which option best fits your needs.

Side-by-Side Full and Limited Tort Comparison

Feature	Full Tort	Limited Tort
Right to Sue for Pain & Suffering	Always allowed, no restrictions.	Only allowed if injury qualifies as a “serious injury” or another exception applies.
Medical Expenses	Covered.	Covered.
Lost Wages	Covered.	Covered.
Property Damage	Covered.	Covered.

Non-Economic Damages (emotional distress, lifestyle impact)	Fully recoverable.	Usually not recoverable.
Ease of Recovery	Straightforward, you don't need to prove exceptions.	More complicated, and requires proving your case fits an exception.
Burden of Proof	Lower, since you automatically have the right to sue.	Higher, since you must demonstrate "serious injury" or another qualifying condition.
Premium Cost	About 15% higher.	About 15% lower.
Flexibility Across State Lines	Travels cleanly, and full tort rights remain intact.	May face hurdles depending on the laws of the state where the crash occurs.
Peace of Mind	Maximum protection of legal rights.	Savings now, but less flexibility later.

Practical Implications of Full Versus Limited Tort

On paper, the differences may seem simple, but in practice, they change how claims unfold.

- **With full tort, the process is more direct.** If you are injured, you can bring a claim for pain and suffering without proving that your injuries meet a threshold. The focus is on how the accident affected your life, not whether you "qualify" to make the claim.
- **With limited tort, the path is narrower.** Even if you are in pain or unable to enjoy your daily activities, you must prove that your injuries rise to the level of a "serious injury" or fall into another exception.

That often means more medical documentation, extra legal steps, and sometimes a court battle just to establish your right to bring a claim. This adds uncertainty and delay at a time when you may already be struggling with recovery.

Real-Life Full and Limited Tort Scenarios

These examples highlight the difference between full and limited tort in common scenarios:

Minor Injury

You suffer a few weeks of lower back pain after being rear-ended.

- With full tort, you can seek compensation for medical bills as well as pain and suffering.
- With limited tort, you can only recover medical bills and lost wages, not compensation for the pain itself.

Serious Injury

You sustain a traumatic brain injury and can no longer work.

- With full tort, you can sue for the full range of damages, including pain and suffering.
- With limited tort, you can also sue because the injury qualifies as “serious,” but you would need medical evidence and possibly a court battle to prove it.

Gray Area Injury

You suffer a herniated disc in your lower back after being hit in a side-impact crash. The injury is painful and limits how long you can sit, stand, or lift heavy objects, but you are still able to work with some restrictions.

- With full tort, you can seek compensation for the pain, the lifestyle limitations, and the impact on your ability to work, without needing to prove your case meets any threshold.
- With limited tort, because herniated discs and similar soft-tissue injuries often fall into a gray area, you would need to prove in court that your impairment is serious enough to meet the legal definition of “serious injury.” Without that proof, you would be barred from recovering damages for pain and suffering.

Quick Checklist: Which Type of Tort Suits You Better?

Do you want the freedom to sue for pain and suffering no matter what?

→ Full Tort.

Is saving about 15% on premiums more important to you than full legal rights?

→ Limited Tort.

Are you comfortable with the risk that some injuries may not qualify as “serious” under the law?

→ Limited Tort.

Do you want peace of mind knowing you won’t face barriers if an accident has lasting effects?

→ Full Tort.

This comparison shows the core trade-off. Full tort offers complete legal protection at a higher cost, while limited tort saves money but narrows your rights.

Exceptions to Limited Tort

Limited tort coverage usually restricts your right to sue for pain and suffering, but Pennsylvania law creates several important exceptions. These carve-outs exist because lawmakers recognized that limited tort could be too harsh if applied in every situation. In certain cases, like when someone is hit by a drunk driver, it would be unjust to block a victim from recovering for non-economic damages.

If your situation falls under one of the exceptions below, you may still bring a claim for pain and suffering, even if you chose limited tort.

Serious Injury

The most common exception is when an accident causes a serious injury. By law, this means an injury that results in:

- Death
- Permanent and serious disfigurement
- Serious impairment of a bodily function

Pennsylvania courts go beyond the bare definitions and look at how the injury actually affects your life. They may consider:

- The extent of the impairment.
- How long the impairment lasts.
- The type of treatment required.
- Whether the injury prevents you from working or doing everyday activities.

Because of this case-by-case approach, the outcome is not always obvious. Even soft-tissue injuries such as herniated discs or chronic pain syndromes have been treated as “serious” when well-documented and shown to substantially impair daily function. Good medical evidence and consistent treatment records are often the key to proving seriousness.

Example: A traumatic brain injury that limits your ability to work, or permanent scarring from a crash, would qualify as a serious injury.

Drunk Driver

If the driver who caused the accident was under the influence of alcohol or drugs, the limited tort restriction does not apply. Importantly, the driver must usually be convicted of DUI or enter a first-offender program for the exception to hold.

Example: You are hit by a driver later found guilty of DUI. Even if you chose limited tort, you can sue for pain and suffering.

Uninsured Driver

If the at-fault driver has no insurance, limited tort does not restrict your right to sue.

Example: You are injured in a crash with an uninsured driver. You may pursue non-economic damages despite being on a limited tort policy.

Exceptions Based on the Other Vehicle

Limited tort also does not apply if the at-fault driver was operating certain types of vehicles.

Out-of-State Vehicle: If the other car was registered outside of Pennsylvania, you are treated as though you had full tort.

Example: You are struck by a car with New Jersey plates. You may sue for pain and suffering even though your own policy is limited tort.

Commercial Vehicle, Taxi, Rideshare, Motorcycle, or Rental: Passengers injured in vehicles used for commercial purposes or other special categories are treated as if they had full tort rights.

Example: You are a passenger in an Uber, bus, or rental car when an accident happens. You are not bound by limited tort.

Pedestrians and Bicyclists

If you are struck by a car as a pedestrian or while riding a bike, limited tort does not apply.

Example: You are crossing the street and are hit by a car. Even if your auto policy is limited tort, you may recover for pain and suffering.

Intentional Harm

If the at-fault driver intended to cause injury, limited tort does not restrict your rights.

Example: A driver deliberately rams your vehicle in a fit of road rage. You can sue for non-economic damages.

Defective Vehicle or Repair Issue

If the accident was caused by a defect in the design, manufacture, or repair of a vehicle, the limited tort restriction does not apply.

Example: A faulty brake repair leads to a crash. As the injured driver, you can pursue pain and suffering despite being on limited tort.

Why Limited Tort Exceptions Matter

These exceptions are safety valves built into Pennsylvania law. While they don't make limited tort the same as full tort, they open the door in specific situations where fairness demands broader rights. Even when an exception applies, you may still need strong medical evidence or legal help to prove your claim. Knowing where the exceptions are helps you see the true scope of limited tort and why your choice at sign-up matters so much.

After a Crash: Documentation Checklist

Keeping careful records after an accident strengthens your ability to make a claim, especially under limited tort, where you may need to prove that your injuries qualify as "serious." Use this checklist to stay organized:

Medical Records

- Seek medical attention immediately, even for minor symptoms.

- Request copies of all diagnostic tests (X-rays, MRIs, CT scans).
- Save every discharge summary, treatment plan, and specialist referral.
- Track prescriptions and over-the-counter medication use.

Treatment & Recovery Logs

- Maintain a daily journal of pain levels and physical limitations.
- Record dates of therapy sessions, chiropractic care, or rehabilitation.
- Note any missed or rescheduled appointments due to injury flare-ups.

Work & Income Documentation

- Keep pay stubs or direct deposit records before and after the crash.
- Ask your employer for a written confirmation of the time missed and the duties you cannot perform.
- Save records of reduced hours or modified work assignments.

Lifestyle Impact

- Write down activities you can no longer enjoy (sports, hobbies, household tasks).
- Record events missed due to your injuries (family activities, social outings).
- Ask family members to note the changes they observe in your daily life.

Accident & Insurance Records

- Keep a copy of the police report.
- Save correspondence with your insurance company.
- Photograph your vehicle damage and any visible injuries.

Full and Limited Tort Costs and Premiums

One of the primary reasons drivers opt for full tort over limited tort is the cost. Insurance premiums are directly affected by which option you select, and understanding the trade-off helps you make the choice that fits your budget and risk tolerance.

Why Limited Tort Is Cheaper

Insurance companies charge less for limited tort because it reduces their potential liability. If you agree to limit your right to sue for pain and suffering, your insurer knows there will be fewer large claims to pay out.

Based on 2025 statewide averages, full-coverage car insurance in Pennsylvania costs about \$2,300–\$2,500 per year. Given that limited tort policies generally cost around 15% less, that means

choosing limited tort instead of full tort can lower your bill by \$340–\$375 annually, or roughly \$30 a month.

The Hidden Costs of Limited Tort

Those savings can look appealing on paper, but they come with trade-offs that aren't reflected in your premium:

- You may need to prove that your injuries meet the serious injury threshold before suing for pain and suffering.
- Some long-term conditions, like chronic pain, anxiety, or mobility issues, might not clearly qualify as “serious” even if they affect your daily life.
- The process can involve more legal hurdles and delays compared to full tort, adding stress at the worst possible time.

Household-Level Impact

Many families insure multiple drivers and vehicles under one policy. The savings from limited tort can multiply across a household, but so can the risks.

If everyone in your household is bound by limited tort, all covered drivers and passengers face the same restrictions. One accident involving a spouse or child could erase years of savings in unrecoverable damages.

Long-Term Financial Perspective

Over five years, limited tort may save you about \$1,700–\$1,800 compared to full tort. But one accident that leaves you unable to recover for pain and suffering could cost far more in lost compensation. Insurance is about managing risk, and the tort decision determines whether you've bought a smaller umbrella or one that covers you in any storm.

Out-of-State Accidents

Car accidents don't always happen close to home. If you live in Pennsylvania, there's a good chance you'll drive into neighboring states like New Jersey, New York, Delaware, Maryland, West Virginia, or Ohio.

When a crash happens outside Pennsylvania, your insurance coverage still follows you, but how your tort choice plays out may depend on the laws of the state where the accident occurred.

How Pennsylvania Policies Work Across State Lines

Full tort coverage: Your right to sue for pain and suffering carries with you, even if the crash is in another state.

Limited tort coverage: Restrictions also apply to travel, but sometimes the laws of the state where the accident happens will take priority. For example, if that state allows broader rights to sue, your claim may be treated differently than it would be at home.

This makes it important to understand Pennsylvania's system and also how its neighbors handle accident claims.

Quick Guide to Tort Systems

Before looking at the systems in neighboring states, here's a simple breakdown of the main systems you'll see:

System Type	How It Works	Where You'll See It
Choice No-Fault	Drivers must choose between full tort (unrestricted right to sue) and limited tort (restricted right to sue unless an exception applies).	Pennsylvania
No-Fault	Each driver's own insurer pays for medical costs and certain expenses, no matter who caused the crash. Lawsuits for pain and suffering are allowed only if injuries meet the state's "serious injury" threshold.	New York
Choice No-Fault with Verbal Threshold	A variation of no-fault where the law lists specific categories of injury, such as death, dismemberment, permanent injury, or significant scarring, that must be met before suing for pain and suffering.	New Jersey
Tort System	Sometimes called "traditional." Drivers may always sue the at-fault party for both economic and non-economic damages, with no threshold to meet.	Delaware, Maryland, Ohio, West Virginia

Neighboring States Comparison

State	System Type	Right to Sue for Pain & Suffering	Threshold / Conditions
Pennsylvania	Choice no-fault (full or limited tort)	Full tort: always allowed. Limited tort: restricted unless exception applies.	Exceptions include serious injury, DUI driver, uninsured driver, out-of-state vehicle, pedestrian/bicyclist, commercial vehicle passenger, intentional harm, and product defect.

New York	No-fault	Only allowed if injury is “serious.”	Death, dismemberment, disfigurement, fracture, loss of fetus, or significant limitation of body function.
New Jersey	No-fault with “verbal threshold”	Restricted unless the serious injury threshold is met.	Death, dismemberment, significant scarring, loss of a fetus, or permanent injury.
Delaware	Tort system	Always allowed.	No restrictions on pain and suffering claims.
Maryland	Tort system	Always allowed.	No restrictions on pain and suffering claims.
Ohio	Tort system	Always allowed.	No restrictions on pain and suffering claims.
West Virginia	Tort system	Always allowed.	No restrictions on pain and suffering claims.

Please note: Threshold summaries here are simplified. Exact statutory language and case law govern.

Real-Life State-Based Full and Limited Tort Scenarios

These examples illustrate typical real-life scenarios in different states:

Pennsylvania (Choice No-Fault)

You suffer a herniated disc in a crash that leaves you with chronic back pain and limits how long you can sit or stand.

With full tort: You can sue the at-fault driver for medical bills, lost wages, and pain and suffering without restriction.

With limited tort: You may only sue if the court agrees your disc injury is a “serious impairment of a bodily function.” Some Pennsylvania courts have found herniated discs to qualify, but only with strong medical evidence and proof that the injury seriously restricts daily activities.

New York (No-Fault)

You suffer the same herniated disc injury in a New York crash.

Result: Your insurer pays your medical bills and lost wages up to policy limits.

Threshold issue: To sue for pain and suffering, you must prove the disc injury caused a “significant limitation of a body function.” New York courts often demand precise medical measurements and long-term documentation. Without that, herniated disc claims may be dismissed.

New Jersey (Choice No-Fault with Verbal Threshold)

You suffer the same herniated disc injury in New Jersey.

Result: Your insurer pays your medical bills and lost wages up to policy limits.

Threshold issue: To sue for pain and suffering, you must prove that your injury meets one of the categories listed under New Jersey's verbal threshold, such as permanent injury, significant scarring, or dismemberment. If your doctor certifies the disc injury is permanent, you may bring a claim.

Delaware, Maryland, Ohio, West Virginia (Tort States)

You suffer the same herniated disc injury in one of these states.

Result: You may immediately sue the at-fault driver for medical bills, lost wages, and pain and suffering.

Advantage: No threshold or exception applies, and your right to sue is automatic.

How State Tort Differences Impact You

Pennsylvania is unique in the region because drivers must choose between full tort and limited tort. In New York and New Jersey, you can sue only if your injuries meet strict legal thresholds. In Delaware, Maryland, West Virginia, and Ohio, you always retain the right to sue for pain and suffering, no matter the type of injury.

If you often travel outside Pennsylvania, these differences may be worth considering when deciding between full tort and limited tort at home.

Mixed Coverage Accidents

Many car accidents in Pennsylvania involve two or more drivers, and not everyone on the road has made the same choice of tort. One driver may carry full tort while the other has limited tort. Understanding how these situations play out helps you see the real impact of your choice.

When You Have Full Tort and the Other Driver Has Limited Tort

If you have full tort, your rights are not affected by the other driver's election. You can sue the at-fault driver for economic damages (like medical bills and lost wages) and non-economic damages (like pain and suffering), provided you can prove fault.

Your rights travel with you. Choosing full tort protects your ability to recover, no matter what the other driver selected.

The other driver's choice limits only them. If they were injured and chose limited tort, they may not be able to sue you for pain and suffering unless they meet an exception.

When You Have Limited Tort and the Other Driver Has Full Tort

If you are the one with limited tort, your rights are restricted even if the other driver carries full tort.

Your claim is limited. You can still recover economic damages, but you cannot sue for pain and suffering unless you meet a statutory exception.

Their claim is unrestricted. The other driver, with full tort, can sue you for pain and suffering if you were at fault.

Two Drivers with Limited Tort

In a collision where both drivers have limited tort, each one is bound by the restrictions of their own policy. Unless one or both drivers meet an exception (such as serious injury, DUI, or out-of-state vehicle), neither can recover pain and suffering damages.

The Takeaway

Your tort choice only controls your rights, not the rights of other drivers. In a mixed-coverage crash, full tort protects you fully, while limited tort leaves you restricted, even if the other driver enjoys broader rights.

The Role of Insurance Companies in Full or Limited Tort Cover

When you sit down to buy or renew an auto insurance policy, the choice between full tort and limited tort may not get the attention it deserves. Insurance companies are required to offer both options, but the way these choices are presented often nudges drivers toward limited tort. Understanding why this happens and what your rights are as a consumer can help you make a fully informed decision.

Why Insurers Push Limited Tort

Limited tort looks appealing to insurers because it reduces the number of claims they may have to pay. When drivers choose limited tort, the insurance company knows that many pain and suffering claims will never be filed unless the strict exceptions apply. Fewer lawsuits mean fewer payouts. That's good for the insurer's bottom line, but it may not be good for you.

Insurers also know that most drivers are price sensitive.

As we've seen, premiums for limited tort are typically about 15% lower, which can translate into annual savings of \$340–\$375. Sales representatives often emphasize these savings up front, without fully explaining the long-term trade-offs. For many people, that small short-term discount seems like the smart choice until they're in a crash and discover the limits of their coverage.

Common Misunderstandings During Insurance Sign-Up

Many Pennsylvania drivers end up with limited tort because of how the options were explained, not because they actively wanted it.

Some of the most common misunderstandings include:

X Assuming limited tort still covers pain and suffering.

Many drivers believe they can always sue for pain and suffering, regardless of tort election. In reality, limited tort blocks those claims unless an exception applies.

X Thinking health insurance makes the choice irrelevant.

Even if your health insurance covers medical bills, it won't provide compensation for long-term pain, emotional distress, or quality-of-life losses. That's where full tort matters most.

X Believing the savings are larger than they are.

A 15% discount can sound significant in conversation, but when it comes down to \$340–\$375 per year, many drivers would happily pay that to keep their legal rights intact.

X Not realizing that the decision affects household members.

If your family is covered under your policy, your tort choice may affect their rights, too.

These misunderstandings often happen at the sign-up stage, when drivers are focused on getting through paperwork quickly.

Tort Consumer Rights

Pennsylvania law requires insurers to make the tort choice clear. You cannot be forced into limited tort; you have to elect it. If you never explicitly made that election, your policy should default to full tort.

You also have the right to:

- **Review your declarations page.** This document shows your tort election, and your insurer must provide it to you on request.
- **Ask for explanations in writing.** If you're unsure about what you've chosen, you can ask your insurer or agent for a written explanation.
- **Switch to full tort at renewal.** You cannot be locked into limited tort forever. At your next policy renewal, you have the right to change.
- **Seek legal advice.** If you believe your tort election was misrepresented or not explained clearly, an attorney can review your documents and help you challenge the insurer.

The Takeaway

Insurance companies have every incentive to steer drivers toward limited tort, but you are not powerless in the process. By knowing what the options truly mean and asserting your rights as a consumer, you can make the choice that protects you and your family in the long run.

Common Myths About Full vs. Limited Tort

The choice between full tort and limited tort is confusing enough without the myths that surround it. Many Pennsylvania drivers end up making their decision based on mistaken assumptions. Let's clear up some of the most common misconceptions.

Myth 1: "My health insurance will cover everything if I'm injured."

The truth: Health insurance can help with medical bills, but it does not compensate you for pain, emotional distress, or long-term loss of quality of life. Those damages are only available if you have the right to sue, and with limited tort, that right is restricted unless you qualify for an exception.

Myth 2: “I can always sue the other driver if they were at fault.”

The truth: With limited tort, your ability to sue is not guaranteed, even when the other driver clearly caused the crash. Unless your injuries meet the “serious injury” threshold or fall under an exception, you may be limited to recovering only your medical expenses and lost wages.

Myth 3: “Limited tort saves me so much money, it’s worth the trade-off.”

The truth: The savings are often smaller than people expect, at around \$30 per month. That discount can be quickly outweighed by the value of pain and suffering damages you give up in the event of an accident.

Myth 4: “Full tort is only for people who drive a lot.”

The truth: Accidents can happen to anyone, whether you commute 50 miles a day or drive only occasionally. Your tort election affects your rights every time you’re on the road, even for short trips.

Myth 5: “Passengers in my car are protected by their own tort choice, not mine.”

The truth: Household members and passengers covered under your policy may also be affected by your tort election. Choosing limited tort doesn’t just limit your rights; it can limit theirs as well.

Myth 6: “I can change from limited tort to full tort whenever I want.”

The truth: You can only make the switch at policy renewal, not in the middle of a policy term. That means if you realize too late that limited tort leaves you exposed, you may be stuck with it until your renewal date.

Myth 7: “If I choose limited tort, I still have full protection if I’m hit out of state.”

The truth: Your Pennsylvania tort election travels with you, even across state lines. While local laws may shape how claims are handled, your limited tort restrictions generally remain in place.

The Takeaway

Limited tort is often sold as a way to save money without giving up much. The reality is very different. Many of the assumptions drivers make about suing, about health insurance, about protecting family members don’t hold up under Pennsylvania law. Understanding the facts is the only way to make a truly informed choice.

Making the Right Choice Between Limited and Full Tort

Now that you know how full tort and limited tort work, the question becomes which one is right for you? There isn’t a single answer that works for everyone, because the decision depends on your budget, your driving habits, and how much peace of mind you want built into your policy.

Who Might Choose Full Tort

Full tort often appeals to people who:

- Drive frequently or commute long distances.
- Have families and want maximum protection for themselves and their children.
- Prefer the security of knowing they can sue for pain and suffering without restrictions.
- Are less concerned about paying a higher premium if it means fewer risks later.

Who Might Choose Limited Tort

Limited tort may work best for people who:

- Are on a tight budget and need to keep monthly premiums lower.
- Drive infrequently or only short distances.
- Are willing to accept the risk that they may not be able to sue for pain and suffering unless an exception applies.
- Prioritize immediate savings over long-term flexibility.

Decision Checklist

Use these questions to help guide your choice:

Do you want unrestricted rights to sue for pain and suffering after any accident?

→ **Yes:** Full Tort.

Is saving around 15% on your premium more important than full legal protection?

→ **Yes:** Limited Tort.

Do you travel often across state lines where tort laws may differ?

→ **Yes:** Full Tort may be safer.

Are you comfortable relying on exceptions to gain the right to sue if something serious happens?

→ **Yes:** Limited Tort may work.

The bottom line is that full tort provides maximum peace of mind, while limited tort provides immediate savings. Choosing the right option means balancing your current budget with your comfort level about what might happen after an accident.

How to Tell Which Tort Option You Have

Many drivers in Pennsylvania don't actually remember which tort option they selected when they bought their auto insurance policy. Since the difference between full tort and limited tort can have such a big impact after an accident, it's important to check. Fortunately, it only takes a few minutes.

Where to Look

Your tort election will be listed on your insurance declarations page. This is the summary page in your policy that shows:

- Your coverages (liability, collision, comprehensive).
- Coverage limits.
- Deductibles.
- Endorsements and elected options — including whether you chose full tort or limited tort.

Step-by-Step Checklist

1. Find your declarations page. This is usually mailed with your policy renewal or available in your online insurance account.
2. Look for a section labeled “Tort Option” or “Limited vs. Full Tort.” Some insurers put it near liability limits, others list it under optional coverages.
3. Confirm your election. It should clearly state either *Full Tort* or *Limited Tort*.
4. Save a copy. Keep a digital or paper copy somewhere you can easily access, so you’re not guessing in the event of an accident.

How to Switch from Limited to Full Tort

If you’ve discovered that your policy is set to limited tort, you may be wondering whether it’s possible to switch. The good news is that you can, but only at certain times and by following a few straightforward steps.

When You Can Make the Change

Insurance companies in Pennsylvania generally allow you to change your tort election only at renewal time. That means you can’t flip from limited to full tort in the middle of your policy period. Instead, you’ll need to make the change when your policy is up for renewal, which usually happens every six or twelve months.

How to Do It

Switching to full tort is easier than most people think:

1. **Contact your insurance agent or company.** Tell them you want to change your election from limited tort to full tort.
2. **Request updated paperwork.** Your insurer will prepare a new declarations page showing the switch.

3. **Review and confirm.** Make sure the updated documents clearly state “Full Tort Option Selected.”
4. **Keep a copy.** Save your new declarations page digitally and on paper so you can prove your coverage if an accident happens.

Conclusion and Considerations

Choosing between full tort and limited tort may seem like just another checkbox when buying car insurance, but it can have a lasting impact if you’re ever involved in a crash.

Full tort offers maximum peace of mind with the ability to sue for pain and suffering in every situation, while limited tort reduces premiums but places restrictions on your rights unless an exception applies.

The decision comes down to what matters most to you: saving money upfront or keeping the broadest legal protections for yourself and your family.

There’s no one-size-fits-all answer, but understanding how each option works gives you the power to make an informed choice.

If you’re reviewing your policy now, here are a few next steps to consider:

- Check your current election on your policy’s declarations page.
- Review your budget and decide whether short-term savings outweigh long-term flexibility.
- Think about your lifestyle, how much you drive, whether you cross state lines, and how risk-averse you are.
- Seek guidance if needed. An experienced attorney can explain how these choices might play out in your specific circumstances.

At Munley Law, we have helped Pennsylvania drivers and their families protect their rights for decades. If you have questions about your coverage or need support after a crash, we are ready to help.

Your coverage is your peace of mind, your protection, and your future. It’s not just an insurance detail. Taking the time to make the right choice today can make all the difference tomorrow.

We can assist with these and many more legal problems:

All Injury and Wrongful Death Cases

Auto Accidents

Truck Accidents

Medical Negligence

Slip and Fall Injuries

Workers’ Compensation

Pedestrian Accidents

Product Liability

Premises Liability

Dog Bite Injuries

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